

Still no decision on whether Fort Douglas will be closed

By Steve Fidel
Deseret News staff writer

A federal commission studying potentially unneeded military installations doesn't know yet if it wants to close Fort Douglas, even though a number of other sources have put the fort on their hit list.

The New York Times, U.S. News and World Report, the three major television networks and a number of other news outlets have contacted Fort Douglas officials and members of Utah's congressional delegation asking whether there will be a fight to save the fort if it is deemed unneeded or unprofitable and targeted for closure.

Fort Douglas has been threatened with closure a number of times in years past and made the top five on media hit lists that began forming after Defense Secretary Frank Carlucci organized a 12-member Commission on Base Realignment and Closure that is to compile a list of bases that could be closed to save tax dollars and make military operations more efficient.

A reliable Capitol Hill source told the Deseret News' Washington bureau Wednesday the Army had a written list of installations it would recommend closing that is being forwarded to the commission and that Fort Douglas is on that list.

But public affairs officials for both Fort Douglas and the commission say there is no official list yet, so the fort in Salt Lake City has not been distinguished from the military's

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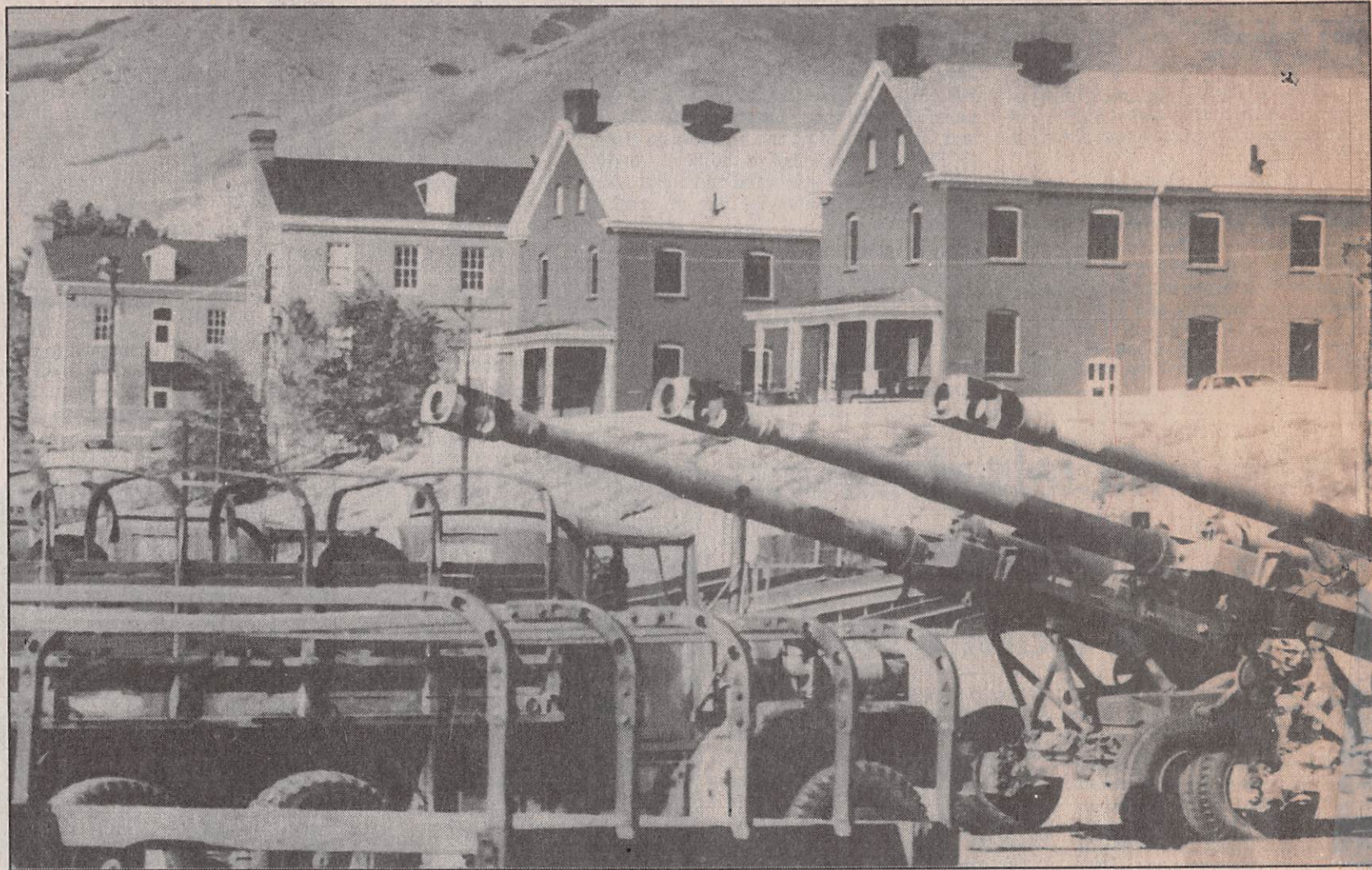
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"They're supplying raw data for us to analyze, but they are not providing any kind of a list," Abbee said from Washington.

"There are a lot of speculative lists floating around," he said. "I had heard that (former Defense Secretary Caspar Weinberger) generated a list of 22 military facilities proposed for closure in 1985." Abbee said he had not seen that list, nor is it being used by the commission for reference.

The commission is to decide by Nov. 15 on its process for identifying bases to be closed or realigned. The official list of bases that could be affected isn't expected to start developing until after that date.

Maj. William Auer, public relations officer for the 96th ARCOM at Fort Douglas, said he's been interviewed by most of the major news



PHOTOGRAPHY/ RAVELL CALL

Civil War-era buildings belie modern assignments carried out at Fort Douglas. The Pentagon may close the post to save money.

see if space is available at Camp Wil

The Civil War era buildings on the

the fort for their part-time military

ters are occupied. Auer said the ne

Utah Supreme Court closes another door on Andrews

By Jay Evensen
Deseret News staff writer

By a 4-1 vote, Utah's Supreme Court justices have decided to reject what may be one of the final appeals of convicted killer Wil-

am Andrews.

But many legal hurdles remain before state officials can execute Andrews, who was convicted and sentenced to die more than 14 years ago.

The decision, handed down Thursday, denied Andrews' claims he was represented by an incompetent attorney and that the trial court should have told the jury it could convict him of second-degree murder, under which he could not have been sentenced to death.

Andrews was convicted along with Pierre Dale Selby in one of Utah's grisliest murders. While robbing the Hi Fi Shop on April 22, 1974, Andrews and Selby herded five people into the shop's basement, bound them and forced them to drink liquid drain cleaner. Each then was shot in the head. An 18-year-old girl also was raped and a ball point pen was kicked into the ear of another victim.

Three of the victims died. Selby was executed last year for his part in the crimes.

Four state Supreme Court justices said Thursday that Andrews' attorneys did not provide a good reason why they didn't raise the issues in an earlier appeal. The latest appeal was an abuse of the system, they said.

Justice Christine M. Durham was the lone dissenter, saying the state should carefully consider all death-penalty cases and should review the Andrews' trial in detail.

"I acknowledge the devastating impact on all concerned of delays required for meticulous and time-consuming review of the fairness with which the state imposes the death penalty," she said. "Balanced against that terrible cost, however, must be the even more terrible possibility that a defendant's life may be taken without fundamental fairness and due process."

State prosecutors, while happy with the decision, were reluctant to speculate on when Andrews could be executed.

Andrews has 14 days to ask the court to

Water officials draining Ken's Lake to look for and repair dam's leak

Auer would not speculate whether Fort Douglas would eventually make the commission's list or whether members of the commission would make field trips to Salt Lake City to look at the fort. He did say it would be very difficult to find comparable office space, especially in a single location, for all of Fort Douglas' tenants.

About 95 percent of the floor space at the fort is being used; and all 64 of the fort's military living quar-

"This is a thriving reserve forces center," Auer said. "We are the Army in this region of the nation."

With half of the Army's total forces now in the reserves, "This would be an exciting place to be" in the event of a large-scale military mobilization.

duty, he said.

installation tell of the fort's heritage, but the 314 full-time military and 300 civilian employees at the fort are carrying out modern military assignments — not chasing Indians.

"The stagecoach tag bothers people here," Auer said. A \$24 million payroll is disbursed from the fort, which is the headquarters of the largest geographical Army Reserve command in the nation. Almost 3,000 reservists circulate through

liams in southern Salt Lake County or in commercial office space.

"We could make some real blunders if we started speculating," he said. "We don't even have a list of who they're investigating or what they're looking for."

Most news reports about Fort Douglas refer to the fort's creation under the Lincoln administration in 1862 as a post to protect stagecoach routes from Indian attacks.

when they have speculated Fort Douglas would be recommended for closure. He is aware of the commission's activities but has heard nothing through official channels indicating Fort Douglas will be on the list that is due to Carlucci Dec. 31.

If the fort is named, or eventually tagged for closure, military tenants at Fort Douglas would then start looking for a place to relocate. No contingency plans have been made to

rehear his appeal. After that, he has 90 days in which to appeal to federal courts. If he fails in those appeals, state prosecutors must ask the state Supreme Court to lift a stay of execution handed down in August. Once the stay is lifted, state officials must ask 2nd District Court for a new death warrant and execution date. Andrews then would be entitled to a hearing before the state Board of Pardons.

"I don't speculate anymore," said Assistant Attorney General Earl Dorius, when asked how soon Andrews may die. "I just let the process run its course."

Dorius was one of the original prosecutors assigned to the case after Andrews was sentenced to die. He said courts are more likely to rule quickly on Andrews' petitions now

that he has entered what likely is the final round of appeals. "The courts will respond in a matter of hours rather than years," he said.

The decision Thursday came one month after justices heard arguments in the case. Had the Utah Supreme Court granted Andrews' appeal, the entire case may have been heard again before a jury in a state court.

While arguing before justices last month, Andrews' attorneys said their client left the stereo shop before anyone was raped or killed.

"We represent a 19-year-old who got caught up in a robbery that went too far," said attorney Joe Tesch.

Andrews is originally from Jonesboro, La.



Neither the Army, Air Force, Navy nor Marines are supplying lists to the commission, which includes six congressmen and two retired military officers, so news that any branch of the service has already forwarded such information to the commission is inaccurate, said James G. Abbee, the commission's spokesman.